

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,
AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 18544 OF 2005

Date: 28.09.2005

BETWEEN:

Sri Mohd. Jabeer Ahmed

.... PETITIONER

Vs.

1. Government of A.P. rep. by Principal Secretary Municipal Administration & Urban Development Department, Secretariat Buildings, Hyderabad, and others.

.... RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO. 18544 OF 2005

ORDER:

The petitioner is a voter in Bhainsa Municipality. He assails the orders of the Government in G.O.Ms.No.759, dated 18.8.2005 whereby and whereunder *inter alia* the office of Chairperson, Bhainsa Municipality was reserved for B.C. (General). According to the petitioner there are number of municipalities, which went to election in 2005 with more percentage of B.C. voters than Bhainsa Municipality and therefore, earmarking the office of Chairperson of Bhainsa Municipality is contrary to Rule 9 of Andhra Pradesh Municipalities (Reservation of Offices of Chairpersons in Municipal Councils and Nagar Panchayats) Rules, 1995 (for short 'the Rules') amended as per G.O.Ms.No.450 dated 23.10.2004.

The matter was set down for preliminary hearing on 23.8.2005 and after hearing learned counsel for the petitioner, the learned Government Pleader for Municipal Administration was directed to get instructions in the matter. After getting instructions in the

matter, the learned Assistant Government Pleader submits that the reservation of Chairperson of Municipalities was done strictly in accordance with Rule 9 of the Rules taking into consideration the percentage of B.C. voters population and arranging them in descending order. He also submits that wherever the office of Chairperson of a municipality was already reserved for S.C./B.C/Women, following the Rule of rotation contemplated under Rule 7 of the Rules, the said municipality was excluded. The learned counsel has also placed before this Court the working sheet for reservations of the office of Chairpersons. A perusal of the same would show that Bhainsa Municipality has 25.55% B.C. voters (7004 B.C. voters out of total voters of 27410) whereas in Madanapalli municipality the B.C. voters are 11.77%. In view of the same the submission made by the learned counsel for the petitioner is without any substance, which cannot be accepted.

The Writ Petition, for the above reasons, is accordingly dismissed at the admission stage.

(V.V.S. RAO, J.)

28th September, 2005

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